



Immigration Enforcement

Immigration Enforcement
Secretariat
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Lewis Kett
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www.gov.uk/home-office

Friday 15 May 2020

Dear Mr Kett,

Re: Freedom of Information request – 57751

Thank you for your email of 12 February; further to FOI 57091, which asked:

Please can you confirm how many reports pursuant to Rule 35 of the Detention Centre Rules 2001, have been received by the Home Office by medical practitioners in immigration removal centres (IRCs) in 2019?

Please can you confirm how many detainees have been released following the receipt of a Rule 35 report in the same time period?

Please can you break down the figures by the type of Rule 35 (e.g. Rule 35(1), (2) and (3)), by each IRC and for each month?

You now ask:

I note that the data for Rule 35 reports has been restricted to 30th June on the basis that Q3 was not published due to purdah.

However, I assume this data exists and we are obviously now out of purdah. Please therefore can you provide the same requested data for the second half of 2019? I would note that this data would not be subject to any relevant exemption in the same way in which the first half was not.

Your request has been handled as a request for information under the Freedom of Information Act 2000.

Firstly, I would like to apologise for the delay in responding to your request. Due to the current COVID-19 situation there are some delays in dealing with FOI requests, but we are looking to deal with all requests as quickly as possible.

The data you have requested is set out in the attached annex. Please note that these statistics have been taken from a live database, are subject to change as the information on the system is updated and have not been assured to the standard of Official Statistics.

It is feasible for releases to occur that are linked to the raising of a Rule 35 notification but are not the sole consequence of it. Home Office systems only record a single release reason and it not possible to establish all reasons for a release without examining individual case files. The annex attached provides data on numbers of Rule 35 cases with a 'detainee released' outcome applied however there will be individuals with release recorded under a different reason. The actual number of individuals released after receipt of a Rule 35 report will be released may therefore be higher than the number indicated

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to foirequests@homeoffice.gsi.gov.uk quoting reference **57751**. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

As part of any internal review the Department's handling of your information request would be reassessed by staff who were not involved in providing you with this response. If you were to remain dissatisfied after an internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the FOIA.

Yours sincerely,

Immigration Enforcement Secretariat

ImmigrationEnforcementFOIPQ@HomeOffice.gov.uk



Immigration Enforcement

Re: Freedom of Information request – 57751

Annex

I would be grateful if you could provide us with the following information.

The total number of Rule 35(1), Rule 35(2) and Rule 35(3) case types being released between 01 January 2019 and 31 December 2019 and broken down by IRC and by month.

The number of individuals released from detention subsequent to the raising of a Rule 35 case type (regardless of case outcome), broken down by IRC and by month.

Notes:

- 1. These figures have been taken from a live operational database. As such, numbers may change as information on that system is updated.**
2. Data extracted on 09/04/2020.
3. Data provided covers the period January 2019 to December 2019.
4. Figures for Larne House, Manchester and Pennine House Short Term Holding Facilities (STHFs) have been excluded in line with published statistics.
5. The presented figures may not match with published transparency data due to the different methodologies required in splitting the data monthly rather than quarterly as provided in published data.
6. Table 1 shows the number of unique Rule 35 level (1), (2) and (3) applications made. Where a Rule 35 was made for the same person, at the same level, on the same day, it has been excluded.
7. Table 2 shows the number of unique people where the Rule 35 outcome was 'released' in that month. Where there are multiple 'release' outcomes for the same person in the same month, at the same R35 level and at the same centre, only one instance will be counted.

Our records indicate that...

Table 1 - Number of Rule 35 (1), Rule 35 (2) or Rule 35 (3) applications raised between 01-Jan-19 and 31-Dec-19, split by month and centre

Location Rule 35 Raised	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
Brook House IRC	3	16	24	17	18	20	25	17	17	18	20	13
Rule 35(i) - Health Concerns	0	2	0	0	0	0	0	0	0	0	1	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	3	14	24	17	18	20	25	17	17	18	19	13
Colnbrook	23	26	20	36	34	31	52	40	38	45	38	41
Rule 35(i) - Health Concerns	0	1	3	0	0	1	2	0	0	2	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	23	25	17	36	34	30	50	40	38	43	38	41
Dungavel IRC	7	11	14	9	4	5	8	5	11	7	9	4
Rule 35(i) - Health Concerns	0	0	0	3	2	0	0	0	0	1	1	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	7	11	14	6	2	5	8	5	11	6	8	4
Harmondsworth	63	44	64	61	72	61	76	56	65	65	60	44
Rule 35(i) - Health Concerns	2	2	1	0	0	1	1	0	5	1	1	0
Rule 35 (2) - Suicide Risk	0	0	1	0	0	0	0	0	0	0	0	1
Rule 35 (3) - Torture Allegation	61	42	62	61	72	60	75	56	60	64	59	43
Morton Hall IRC	24	19	20	22	19	23	30	24	28	30	14	20
Rule 35(i) - Health Concerns	1	0	0	0	0	0	0	0	1	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	23	19	20	22	19	23	30	24	27	30	14	20
Tinsley House	5	9	7	11	10	9	9	18	17	13	9	16
Rule 35(i) - Health Concerns	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	5	9	7	11	10	9	9	18	17	13	9	16
Yarl's Wood	23	34	25	25	27	20	28	30	20	35	21	26
Rule 35(i) - Health Concerns	0	0	0	0	0	0	0	0	0	1	0	1
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	23	34	25	25	27	20	28	30	20	34	21	25
Other	6	4	4	2	4	5	6	4	3	4	4	12
Rule 35(i) - Health Concerns	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	1	0	0	0	1	1
Rule 35 (3) - Torture Allegation	6	4	4	2	4	5	5	4	3	4	3	11

Table 2 - Number of Detainees released following a Rule 35 (1), Rule 35 (2) or Rule 35 (3) application between 01-Jan-19 and 31-Dec-19, split by month and centre

Location Rule 35 Raised	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19
Brook House IRC	0	1	2	2	1	3	4	3	1	2	4	1
Rule 35(i) - Health Concerns	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	0	1	2	2	1	3	4	3	1	2	4	1
Colnbrook	5	5	4	10	7	4	10	5	16	18	10	10
Rule 35(i) - Health Concerns	0	0	3	0	0	0	1	0	0	2	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	5	5	1	10	7	4	9	5	16	16	10	10
Dungavel IRC	2	1	4	3	2	1	3	1	3	1	4	2
Rule 35(i) - Health Concerns	0	0	0	2	2	0	0	0	0	1	1	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	2	1	4	1	0	1	3	1	3	0	3	2
Harmondsworth	37	28	41	50	39	37	47	18	34	35	26	19
Rule 35(i) - Health Concerns	2	1	1	0	0	1	0	0	3	1	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	35	27	40	50	39	36	47	18	31	34	26	19
Morton Hall IRC	5	6	2	1	1	1	2	3	8	3	3	2
Rule 35(i) - Health Concerns	1	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	4	6	2	1	1	1	2	3	8	3	3	2
Tinsley House	0	3	2	3	2	1	0	2	3	3	4	3
Rule 35(i) - Health Concerns	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	0	3	2	3	2	1	0	2	3	3	4	3
Yarl's Wood	3	6	5	7	5	5	1	5	7	10	6	6
Rule 35(i) - Health Concerns	0	0	0	0	0	0	0	0	0	1	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (3) - Torture Allegation	3	6	5	7	5	5	1	5	7	9	6	6
Other	3	2	1	1	1	2	1	1	0	1	3	5
Rule 35(i) - Health Concerns	0	0	0	0	0	0	0	0	0	0	0	0
Rule 35 (2) - Suicide Risk	0	0	0	0	0	0	0	0	0	0	1	0
Rule 35 (3) - Torture Allegation	3	2	1	1	1	2	1	1	0	1	2	5